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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

KINDERSTART.COM LLC, a California
limited liability company, on behalf of itself and
all others similarly situated,

Plaintiffs,

v.

GOOGLE, INC., a Delaware corporation,
Defendant.

Case No. C 06-2057 JF

**DECLARATION OF GREGORY J. YU
IN SUPPORT OF PLAINTIFF'S
MOTION FOR SPECIFIED DISCOVERY
ON DEFAMATION AND LIBEL**

I, GREGORY J. YU, HEREBY DECLARE AS FOLLOWS:

1. I am legal counsel to plaintiff KinderStart.com LLC ("KSC") in the above action and am authorized by my client to make this declaration in support of Plaintiff's motion for an order shortening time for motion for specified discovery by Plaintiff.

2. On June 6, 2006, I had a telephone conversation with counsel to Defendant, David H. Kramer, of Wilson, Sonsini, Goodrich & Rosati about Plaintiffs' need to conduct discovery on PageRank™ in connection with its defamation and libel count. Mr. Kramer indicated that if a request were submitted, it could be considered by Google the following week. In so responding, he indicated that Google would likely object to such discovery because of trade secret protection.

3. On June 13, 2006, I sent a letter to Mr. Kramer as an informal discovery request

1 of specified information from Google on PageRank determination of www.kinderstart.com and
2 of other Websites generally. This was required for Plaintiff's assembly of evidence to
3 demonstrate a likelihood of its success on the defamation and libel count, in connection with its
4 procedural burden under CCP § 425.16(b). I requested a reply from Google by June 15, 2006.

5 4. On June 15, 2006, Mr. Kramer replied timely to my June 13, 2006 letter. He
6 indicated that a response to KSC's request was not possible due to the time constraints of the
7 filing Google's reply to Plaintiffs' two oppositions to Google's pending motions and the current
8 unavailability of his contact person at Google until June 19, 2006.

9 5. By e-mail, Mr. Kramer and I confirmed our mutual availability for a hearing date
10 of August 4, 2006 for a proposed motion by plaintiffs for discovery of PageRank information.

11 I DECLARE UNDER PENALTY OF PERJURY, that the above is true and correct and
12 based on my personal knowledge.

13 Executed on this 16th day of June, 2006 in San Mateo, California.

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15 By: /s/ Gregory J. Yu
16 GREGORY J. YU
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